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CENTRAL FAX CENTER

PATENT
Serial No. 09/729,680
Atty. Dkt. No. SEDN/300
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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed August 23, 2006. In the Office Action, the Examiner notes that claims 18-21, 23-24 and 26-29 are pending and rejected. By this response, Applicants have herein amended claims 18-19, 23-24, and 28. Arguments refuting the Examiner's position are provided below.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the respective provisions of 35 U.S.C. §103.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response including amendments.

Rejections

35 U.S.C. §103

Claims 18-19, 21, 23-24, and 26-29

The Examiner has rejected claims 18-19, 21, 23-24, and 26-29 under 35 U.S.C. §102(e) as being clearly anticipated by Hanaya et al. (U.S. Patent No. 6,591,009, hereinafter "Hanaya") in view of Entwistle (U.S. Patent No. 6,968,556, hereinafter "Entwistle"). Applicants respectfully traverse the rejection.

In general, Hanaya teaches a method for displaying program guide data. As taught in Hanaya, a digital broadcast signal including compressed video data and compressed audio data, as well as program guide data, is received. The signal is demultiplexed and a display processor processes the program guide data so as to display a program guide window containing a number of program names. (Hanaya, Abstract).

Hayana, however, fails to teach or suggest Applicants' invention of claim 18, as a whole. Namely, Hayana fails to teach or suggest at least the limitations of "retrieving from the bitstream packets for a first one of the sets of slices for the guide region,

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decoding the retrieved packets for the first one of the sets of slices to form the guide region of the user interface, retrieving from the bitstream packets for a second one of the sets of slices for the guide region, and decoding the retrieved packets for the second one of the sets of slices to update at least one of the slice locations of the guide region of the user interface,” as taught in Applicants’ claim 18. Specifically, Applicants’ claim 18 recites:

18. A method for providing a user interface having included therein a plurality of regions, the method comprising:
receiving a bitstream comprising packets for a plurality of slices for a guide region of the user interface, wherein each slice is designated for presentation at a particular slice location in the guide region, wherein multiple slices are received for each of at least one slice location in the guide region, wherein the slices are received as a plurality of sets of slices;
retrieving from the bitstream packets for a first one of the sets of slices for the guide region;
decoding the retrieved packets for the first one of the sets of slices to form the guide region of the user interface;
retrieving from the bitstream packets for a second one of the sets of slices for the guide region; and
decoding the retrieved packets for the second one of the sets of slices to update at least one of the slice locations of the guide region of the user interface.
[Emphasis added.]

By contrast, Hayana merely teaches that data of a program guide is provided to a set-top terminal in a format including channel data and program data. The channel data is used to display information in the program guide about each television channel (e.g., the list of channels for which the program information is displayed). For example, the channel data includes the information on the left side of the guide region in Figure 19 of Hayana, such as TOON 227, USA 228, FAM 232, TBS 233, and so on). The program data is used to display information about television programs associated with respective channels specified by the channel data (e.g., the information to the right of the channel data in the guide region of Figure 19 of Hayana, which identifies television programs airing in particular timeslots (illustratively, half-hour timeslots from 9:30PM to 11:00PM) for each of the television channels specified by the channel data). For example, as depicted in Figure 19 of Hayana, the shaded region 212 specifies program data for a television program airing from 9:30PM to 10:00PM on TBS channel 233).

As disclosed in Hayana, the channel data provided in the data structure may include data for any number of channels, and the program data provided in the data structure may include program data for multiple hours of programming on each of the channels specified by the channel data. As such, as taught in Hayana, the program guide data depicted in Figure 19 of Hayana provides channel and program data for hours of programming associated with hundreds of available channels. The data structure conveying the program guide data is received by the set-top terminal and stored for display.

As disclosed in Hayana, in the data structure conveying the program guide data, the channel data is divided into channel segments, where each channel segment includes channel information for two television channels, such as the channel number, channel name, logo identifier, data identifiers, and number of programs of each channel. The number of programs of each channel identifies the number of television programs for which program guide information is provided for that channel. As depicted in Figure 12 of Hayana, for example, the number of programs associated with channel 1 is eight, and program guide information associated with each of those eight channels is provided as part of a program segment of the program data portion of the data of the program guide.

As disclosed in Hayana, in the data structure conveying the program guide data, the program data is divided into program segments, where each program segment includes program information for two television channels. For each channel in the program segment, the program data includes program information for each program associated with the channel, such as the program title, program start time, program length, program category and subcategory, and other program-specific information. As depicted in Figure 12 of Hayana, for example, since the number of programs associated with channel 1 is eight, program information is provided for each of those eight programs scheduled to air on that channel.

In other words, Hayana merely discloses a data structure by which channel data and associated program data is communicated from a headend to a set-top terminal for displaying an electronic program guide. Hayana, however, is devoid of any teaching or suggestion of providing sets of channel information and program information. Rather,

Hayana is directed toward a specific data structure adapted for providing channel and program data in an organized manner for maintaining a sort table by which associations between the channel data and program data may be easily maintained. As depicted in Hayana, the sort table maintains an association between a pointer to channel data and a pointer to program data associated with the channel data, such that the association between the channel data and program data is easily maintained.

Hayana, however, fails to teach or suggest receiving a bitstream comprising packets for a plurality of slices for a guide region of a user interface, where the slices are received as a plurality of sets of slices. Furthermore, Hayana, fails to teach or suggest retrieving packets for one set of slices for a guide region, decoding the retrieved packets to form a guide region of the user interface, retrieving packets for another set of slices for the guide region, and decoding the retrieved packets to update at least one slice location of the guide region, as claimed in Applicants' claim 18. As such, Hayana fails to teach or suggest Applicants' invention of claim 18, as a whole.

Furthermore, Entwistle fails to bridge the substantial gap between Hanaya and Applicants' invention of claim 18. In general, Entwistle discloses generation of an electronic program guide. Specifically, Entwistle discloses that EPG guide data is adjusted in order to maintain synchronicity between the viewing schedule at the user's location and the display of the program guide information associated with the television programs.

Entwistle, however, is devoid of any teaching or suggestion of how the data for the electronic program guide is provided to the user's location for display. Specifically, Entwistle is devoid of any teaching or suggestion of any sets of slices, much less retrieving packets for sets of slices to form a guide region of a user interface, as well as to update at least one slice location of a guide region of a user interface. Rather, Entwistle is directed toward adjusting EPG data displayed to a user so that the EPG data displayed to the user continues to be synchronized with programs which can be displayed to the user.

As such, Entwistle fails to teach or suggest at least the limitations of "retrieving from the bitstream packets for a first one of the sets of slices for the guide region, decoding the retrieved packets for the first one of the sets of slices to form the guide

region of the user interface, retrieving from the bitstream packets for a second one of the sets of slices for the guide region, and decoding the retrieved packets for the second one of the sets of slices to update at least one of the slice locations of the guide region of the user interface, as claimed in Applicants' claim 18. Therefore, Entwistle, alone or in combination with Hanaya, fails to teach or suggest Applicants' invention of claim 18, as a whole.

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). Hanaya and Entwistle, alone or in combination, fail to teach or suggest Applicants' invention, as a whole.

As such, Applicants submit that independent claim 18 is patentable over Hanaya and Entwistle under 35 U.S.C. §103. Similarly, Applicants' Independent claim 28 recites relevant limitations similar to those recited in independent claim 18 and, thus, for at least the same reasons discussed above, independent claim 28 also is patentable over Hanaya and Entwistle under 35 U.S.C. §103. Furthermore, claims 19, 21, 23-24, 26-27 and 29 depend from independent claim 18 or 28 and recite additional limitations thereof. Therefore, for at least the same reasons discussed above, these dependent claims also are patentable over Hanaya and Entwistle under 35 U.S.C. §103.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

Claim 20

The Examiner has rejected claim 20 under 35 U.S.C. §103(a) as being unpatentable over Hanaya in view of Entwistle in further view of Ihara (U.S. Patent 6,266,813, hereinafter "Ihara"). Applicants respectfully traverse the rejection.

Claim 20 depends from independent claim 18 and recites additional limitations thereof. Moreover, for at least the reasons discussed above, Hanaya and Entwistle,

alone or in combination, fail to teach or suggest Applicants' invention of at least claim 18, as a whole.

Furthermore, Ihara fails to bridge the substantial gap as between Hanaya and Entwistle and Applicants' invention of at least claim 18.

In general, Ihara teaches a digital broadcasting system for transmitting television programs from a primary transmission system, such as a digital satellite broadcasting system, to a secondary transmission system, such as a cable television system. As disclosed in Ihara, the secondary transmission system reedits and rebroadcasts the programs, and may rearrange the air time at which the programs received from the primary transmission system are rebroadcast in the secondary transmission system. The secondary transmission system changes the air time at which programs received from the primary transmission system are rebroadcast in the secondary transmission system using change information transmitted from the primary transmission system to the secondary transmission system in advance of the scheduled air time of the programs. (Ihara, Abstract; Col. 1, Lines 6-10).

Ihara, however, is devoid of any teaching or suggestion of how the data for the electronic program guide is provided to the user's location for display. Specifically, Ihara is devoid of any teaching or suggestion of any sets of slices, much less retrieving packets for sets of slices to form a guide region of a user interface, as well as to update at least one slice location of the guide region of a user interface. Rather, Ihara discloses distribution of change information indicating changes in the content of broadcasting, such as prolongation of air time of a particular television program. More specifically, Ihara discloses that change information may be sent from the first transmission system to the second transmission system in order to enable the second transmission system to change the time at which a program is aired.

As such, Ihara fails to teach or suggest at least the limitations of "retrieving from the bitstream packets for a first one of the sets of slices for the guide region, decoding the retrieved packets for the first one of the sets of slices to form the guide region of the user interface, retrieving from the bitstream packets for a second one of the sets of slices for the guide region, and decoding the retrieved packets for the second one of the

sets of slices to update at least one of the slice locations of the guide region of the user interface, as claimed in Applicants' claim 18.

Therefore, Hanaya, Entwistle and Ihara, alone or in combination, fail to teach or suggest Applicants' invention, as a whole.

Thus, Applicants submit that independent claim 18 is patentable under 35 U.S.C. §103 over Hanaya in view of Entwistle in further view of Ihara. Therefore, Applicants submit that dependent claim 20 is also patentable under 35 U.S.C. §103 over Hanaya in view of Entwistle in further view of Ihara. Accordingly, Applicants respectfully request that the Examiner's rejection be withdrawn.

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Thus, Applicants submit that none of the claims presently in the application are obvious under the provisions of 35 U.S.C. §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 10/31/06

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